

RSA 104/2001

BEFORE

HON'BLE MR. JUSTICE SUMAN SHYAM

Heard Mr. N. Haque, learned counsel appearing for the appellant.

Since no application for substitution has been filed for bringing on record the legal heirs of the appellant No.1, or for setting aside abatement of the appeal against appellant No.1, the appeal stands abated as against the appellant No.1. Whether the appeal is maintainable by the remaining appellant is a question that would remain open for decision of this Court at the stage of final hearing.